

# **EXHIBIT J**

Robert P. Kinross December 2, 2009

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - -  
ePLUS, INC., : Civil Action  
Plaintiff, : No. 3:09cv620  
v. :  
LAWSON SOFTWARE, INC. :  
Defendant. :  
- - - - -

Videotaped Deposition of ROBERT P. KINROSS

Washington, DC

Wednesday, December 2, 2009

11:03 a.m.

Job No.: 22-169719

Pages 1 - 212

Reported by: Katy M. Zamora, RPR

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Robert P. Kinross December 2, 2009

Page 200

1 A. Yes.

2 Q. Who provided IBM with specifications in order  
3 that those IBM programmers could write the Shell  
4 program?

5 A. I did, as well as other members of the Fisher  
6 team.

7 Q. Did any members of the IBM personnel  
8 contribute to the specifications for the Shell program?

9 A. No.

10 Q. Who ultimately owned the rights to the Shell  
11 program?

12 A. Fisher did.

13 Q. Do you recall Mr. McDonald asking you some  
14 questions with reference to your 683 patent concerning  
15 your understanding of the meaning of the term  
16 "catalog"?

17 A. Yes.

18 Q. Can you turn in that patent, to column 4.

19 A. Okay.

20 Q. And with reference to lines 36 through 42,  
21 those lines read, "The catalogs enhanced catalog  
22 database 36 preferably include such information as part  
23 number, price catalog number, vendor name or ID and  
24 vendor catalog number, as well as textual information  
25 and images of or relating to the catalog products," do

Robert P. Kinross December 2, 2009

Page 201

1 you see that?

2 A. Yes.

3 Q. Do you consider that you set forth in this  
4 section of the patent a description of what would be  
5 included in a product catalog in accordance with your  
6 invention?

7 A. Yes.

8 MS. ALBERT: I think that's all that I have.

9 REEXAMINATION BY COUNSEL FOR DEFENDANT

10 BY MR. McDONALD:

11 Q. A few more questions, Mr. Kinross.

12 With respect to that description of catalogs  
13 in column 4 of your 683 patent, that's consistent with  
14 what you testified about when I was asking you about  
15 what you think a catalog is, right?

16 A I believe it is, yes.

17 Q. Is it also consistent with what you thought  
18 you were conveying to one of ordinary skill in this  
19 patent as to what a catalog is?

20 A. Yes.

21 Q. Is there documentation regarding Fisher's  
22 ownership of the Shell program?

23 A. I think there is.

24 Q. What does that look like?

25 A. I think it's the statement of work and the